

113TH CONGRESS
1ST SESSION

S. 1497

To amend the Patient Protection and Affordable Care Act to apply the provisions of the Act to certain Congressional staff and members of the executive branch.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2013

Mr. VITTER (for himself, Mr. ENZI, Mr. HELLER, Mr. LEE, Mr. JOHNSON of Wisconsin, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Patient Protection and Affordable Care Act to apply the provisions of the Act to certain Congressional staff and members of the executive branch.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Exemption for
5 Washington from Obamacare Act”.

1 **SEC. 2. HEALTH INSURANCE COVERAGE FOR CERTAIN**
2 **CONGRESSIONAL STAFF AND MEMBERS OF**
3 **THE EXECUTIVE BRANCH.**

4 Section 1312(d)(3)(D) of the Patient Protection and
5 Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is
6 amended—

7 (1) by striking the subparagraph heading and
8 inserting the following:

9 “(D) MEMBERS OF CONGRESS, CONGRES-
10 SIONAL STAFF, AND POLITICAL APPOINTEES IN
11 THE EXCHANGE.—”;

12 (2) in clause (i), in the matter preceding sub-
13 clause (I)—

14 (A) by striking “and congressional staff
15 with” and inserting “, congressional staff, the
16 President, the Vice President, and political ap-
17 pointees with”; and

18 (B) by striking “or congressional staff
19 shall” and inserting “, congressional staff, the
20 President, the Vice President, or a political ap-
21 pointee shall”;

22 (3) in clause (ii)—

23 (A) in subclause (II), by inserting after
24 “Congress,” the following: “of a committee of
25 Congress, or of a leadership office of Con-
26 gress,”; and

1 (B) by adding at the end the following:

2 “(III) POLITICAL APPOINTEE.—

3 In this subparagraph, the term ‘polit-
4 ical appointee’ means any individual
5 who—

6 “(aa) is employed in a posi-
7 tion described under sections
8 5312 through 5316 of title 5,
9 United States Code, (relating to
10 the Executive Schedule);

11 “(bb) is a limited term ap-
12 pointee, limited emergency ap-
13 pointee, or noncareer appointee
14 in the Senior Executive Service,
15 as defined under paragraphs (5),
16 (6), and (7), respectively, of sec-
17 tion 3132(a) of title 5, United
18 States Code; or

19 “(cc) is employed in a posi-
20 tion in the executive branch of
21 the Government of a confidential
22 or policy-determining character
23 under schedule C of subpart C of
24 part 213 of title 5 of the Code of
25 Federal Regulations.”; and

1 (4) by adding at the end the following:

2 “(iii) GOVERNMENT CONTRIBUTION.—
3 No Government contribution under section
4 8906 of title 5, United States Code, shall
5 be provided on behalf of an individual who
6 is a Member of Congress, a congressional
7 staff member, the President, the Vice
8 President, or a political appointee for cov-
9 erage under this paragraph.

10 “(iv) LIMITATION ON AMOUNT OF TAX
11 CREDIT OR COST-SHARING.—An individual
12 enrolling in health insurance coverage pur-
13 suant to this paragraph shall not be eligi-
14 ble to receive a tax credit under section
15 36B of the Internal Revenue Code of 1986
16 or reduced cost sharing under section 1402
17 of this Act in an amount that exceeds the
18 total amount for which a similarly situated
19 individual (who is not so enrolled) would be
20 entitled to receive under such sections.

21 “(v) LIMITATION ON DISCRETION FOR
22 DESIGNATION OF STAFF.—Notwithstand-
23 ing any other provision of law, a Member
24 of Congress shall not have discretion in de-
25 terminations with respect to which employ-

1 ees employed by the office of such Member
2 are eligible to enroll for coverage through
3 an Exchange.”.

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